

PAUL F. WILLIAMS
P.O. Box 2568
EDISON NJ 08818

CLERK
U.S. DISTRICT COURT
DISTRICT OF NEW JERSEY
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2015 AUG 26 P 1:02

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
NEWARK VICINAGE

PAUL F. WILLIAMS

Plaintiff,

v.

YING ZHOU, GUOLIANG TIAN (aka TONY
TIAN), JIAHAO INTERNATIONAL GROUP
LIMITED

Defendants.

Civil Action No. 2:14-cv-05544-KM-MAH

CIVIL ACTION

**Opposition to Letter from Stephen Irwin
to Magistrate Judge Michael Hammer**

Your Honor:

I write in opposition to Defendants' attorney Stephen B. Irwin's request to further adjourn the 'meet and confer' conference that was rescheduled to September 3, 2015 at 10 A.M.

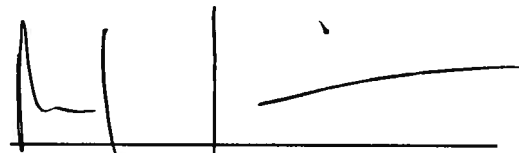
Mr. Irwin is the primary reason for this conference and he continues to be an obstacle to reasonable and good faith discussions to resolve the discovery disputes that I initially brought to your attention on July 9, 2015. After Your Honor issued an Order on August 17, 2015 for the parties to confer in good faith to resolve the discovery dispute, Plaintiff reached out to Mr. Irwin on August 18, 2015 in attempt to schedule a telephone conversation. Mr. Irwin demurred and insisted that there was nothing further to discuss by telephone. A copy of the complete email transcript is attached for your review. Mr. Irwin indicated that his clients were not interested in settlement discussions and were willing only to pursue litigation. [This is in stark contrast to a telephone call that Plaintiff received on August 20, 2015 from Ms. Lena Lin (the former translator for Plaintiff and Defendants) who indicated that Tony Tian had visited her that day at her apartment in Manhattan, NY and had requested a meeting with Plaintiff to discuss a settlement and to be dropped from this lawsuit]

At one point in his email correspondence, Mr. Irwin indicated that he would forward more complete responses to the Interrogatories, but only after receiving my responses. On August 25, 2015, I informed Mr. Irwin via email that I would be willing to respond to his Interrogatories, even though they were submitted late. I informed him that I would do so as soon as his clients provided the more complete responses that he had promised I would get. The response from Mr. Irwin to my good faith offer is attached.

Your Honor, the discovery deadlines contained in your Order are looming and Mr. Irwin continues to delay and act in bad faith. Please deny his request.

Thank you.

Respectfully,

A handwritten signature in black ink, appearing to read 'Paul Williams', is written over a horizontal line.

Paul Williams
P.O. Box 2568
Edison, NJ 08818
Tel: (908) 720 - 7580
Fax: (856) 581 - 9447
Email: pfw128@gmail.com

Dated: August 26, 2015

Thanks

Sent from my iPhone

[Quoted text hidden]

Paul Williams <pfw128@gmail.com>
To: rep lawassociates <replaw11@gmail.com>

Thu, Jul 9, 2015 at 12:45 PM

Mr. Irwin:

Attached, please find the draft letter for joint delivery to the Court. Please review and insert any additional information you deem necessary. **Please return to me for additional review after you have made your edits.** There are a few exhibits that I would like to attach to the letter before submitting to the Court. Thank you.

Paul F. Williams

[Quoted text hidden]

 **LETTER - JUDGE HAMMER to Irwin (7-9-15).docx**
29K

rep lawassociates <replaw11@gmail.com>
To: Paul Williams <pfw128@gmail.com>

Thu, Jul 9, 2015 at 12:54 PM

I don't want any part of that letter.

You may do what you want.

[Quoted text hidden]

Paul Williams <pfw128@gmail.com>
To: rep lawassociates <replaw11@gmail.com>

Tue, Aug 18, 2015 at 9:16 AM

Mr. Irwin:

Good morning. Pursuant to the Court's Order dated 8/17/2015, please advise when you are available for a telephone call to discuss the outstanding discovery issues. Thanks

Paul Williams

rep lawassociates <replaw11@gmail.com>
To: Paul Williams <pfw128@gmail.com>

Tue, Aug 18, 2015 at 11:47 AM

I'm available this afternoon. The outstanding discovery issues with Miss Zhou is that she saw no need to keep any travel or other documents because she viewed herself as a secretary like person. It was not her business, so she did not care. She was reimbursed in cash for any outlays she made. The Chinese do not consider themselves in the case. You can't serve a foreign national by mail. Check the Convention. They have no place of business in the U.S. and they do no business in the U. S. They have never done business in the U.S. I don't know what more we can accomplish by talking in person.

Sincerely

Stephen B. Irwin

[Quoted text hidden]

Paul Williams <pfw128@gmail.com>
To: rep lawassociates <replaw11@gmail.com>

Tue, Aug 18, 2015 at 12:04 PM

Sir,

I'm sure you are in receipt of the judge's order. It states that we should "meet and confer" in good faith. If we don't do it now voluntarily, we will have to spend all day next week doing it in the courthouse in Newark and before the judge. The service issue (re. Tony Tian) is under dispute and before the judge, as is the issue regarding Zhou's role in this business. I would certainly like to discuss a settlement of this case in good faith. But for now, we both have a legal obligation to discuss all of the discovery issues that are under dispute. I am ready when you are. Thanks

Paul Williams

Sent from my iPhone

[Quoted text hidden]

rep lawassociates <replaw11@gmail.com>
To: Paul Williams <pfw128@gmail.com>

Tue, Aug 18, 2015 at 12:09 PM

Are there any other issues we could discuss?

[Quoted text hidden]

Paul Williams <pfw128@gmail.com>
To: rep lawassociates <replaw11@gmail.com>

Tue, Aug 18, 2015 at 12:14 PM

I'm trying to follow the court's Order....that's my sole intent.

Sent from my iPhone

[Quoted text hidden]

rep lawassociates <replaw11@gmail.com>
To: Paul Williams <pfw128@gmail.com>

Tue, Aug 18, 2015 at 12:25 PM

I think the Court wanted to see if we could move forward in this area. How will meeting change anything?

[Quoted text hidden]

Paul Williams <pfw128@gmail.com>
To: rep lawassociates <replaw11@gmail.com>

Tue, Aug 18, 2015 at 12:35 PM

That's what we need to make a good faith effort to determine, no? Or would you rather spend all day in Newark next Friday doing so?

Sir, are you in communication with your clients at all? Certainly, you should be conveying to Tony and Ying Zhou that I am willing to discuss a reasonable settlement. If not, I don't think you are doing your clients a good service by not entertaining settlement discussions. Tony cannot continue to hide behind the shield of the Geneva Convention and claim he was not properly served....especially since you appeared on his behalf before the court to deny some, but not all, of the allegations. There is evidence to show that New York was used in some capacity in support of their business. In any event, all of these issues are before the court and we are awaiting decisions on our various motions.

[Quoted text hidden]

rep lawassociates <replaw11@gmail.com>
To: Paul Williams <pfw128@gmail.com>

Tue, Aug 18, 2015 at 12:49 PM

I will convey any settlement offer

[Quoted text hidden]

Paul Williams <pfw128@gmail.com>
To: rep lawassociates <replaw11@gmail.com>

Tue, Aug 18, 2015 at 12:53 PM

OK, I will certainly entertain any reasonable offers to settle. I'll await your next communication on that subject. Thanks

[Quoted text hidden]

rep lawassociates <replaw11@gmail.com>
To: Paul Williams <pfw128@gmail.com>

Tue, Aug 18, 2015 at 1:00 PM

You are the one who mentioned settlement.
I said we would convey any offer.
I don't think the Chinese have made an appearance
except to challenge the court's jurisdiction.

[Quoted text hidden]

Paul Williams <pfw128@gmail.com>
To: rep lawassociates <replaw11@gmail.com>

Tue, Aug 18, 2015 at 1:22 PM

Mr. Irwin:

I don't think I can initiate any settlement offer....that must come from you or your client. My claim is \$322,500, plus damages. I promise to fairly review any reasonable offers to settle that your clients make.
Thanks

[Quoted text hidden]

rep lawassociates <replaw11@gmail.com>
To: Paul Williams <pfw128@gmail.com>

Tue, Aug 18, 2015 at 1:25 PM

You brought up settlement. My clients
have not even thought about it.

[Quoted text hidden]

Paul Williams <pfw128@gmail.com>
To: rep lawassociates <replaw11@gmail.com>

Tue, Aug 18, 2015 at 1:29 PM

You are the attorney. Don't you think it's prudent to advise them of that possibility?

[Quoted text hidden]

rep lawassociates <replaw11@gmail.com>
To: Paul Williams <pfw128@gmail.com>

Tue, Aug 18, 2015 at 1:33 PM

They have already viewed that as not
worth while. I have given you the reasons.
Other than the costs of litigation, there appears
to be no incentive.

[Quoted text hidden]

Paul Williams <pfw128@gmail.com>
To: rep lawassociates <replaw11@gmail.com>

Tue, Aug 18, 2015 at 1:43 PM

Ok, so you are saying there is nothing further to discuss at this time? If so, I guess I will meet you in Newark, NJ next week.

[Quoted text hidden]

rep lawassociates <replaw11@gmail.com>
To: Paul Williams <pfw128@gmail.com>

Tue, Aug 18, 2015 at 1:47 PM

I asked you what more we could discuss. We are far apart on our positions.

[Quoted text hidden]

Paul Williams <pfw128@gmail.com>
To: rep lawassociates <replaw11@gmail.com>

Tue, Aug 18, 2015 at 1:52 PM

Very far indeed. Your clients have never operated in good faith and that is why we have this lawsuit. I am not really surprised that they continue to be unreasonable. That is their way. I was hopeful that you, as an experienced attorney, could assist them in making more reasonable, informed decisions going forward. I suspect we may have to wait to see how the court rules on some of the outstanding motions before your clients will recognize that I have a legitimate claim. But I suspect, even with a judgment in my favor, that I will face hurdles to collect. But I am prepared.

[Quoted text hidden]

rep lawassociates <replaw11@gmail.com>
To: Paul Williams <pfw128@gmail.com>

Tue, Aug 18, 2015 at 2:11 PM

I really don't see any merit to your suit, so you can say what you want.

[Quoted text hidden]

Paul Williams <pfw128@gmail.com>
To: rep lawassociates <replaw11@gmail.com>

Tue, Aug 18, 2015 at 2:22 PM

Of course you don't. But hopefully you see merit in billing your clients until this "meritless" suit is decided.....with no ethical concern of laying out some reasonable alternatives for them outside the adversarial process. If they are paying you, and on time, congratulations.

[Quoted text hidden]

rep lawassociates <replaw11@gmail.com>
To: Paul Williams <pfw128@gmail.com>

Tue, Aug 18, 2015 at 2:57 PM

You know you have a baseless suit. It has nothing to do with money

[Quoted text hidden]

Paul Williams <pfw128@gmail.com>
To: rep lawassociates <replaw11@gmail.com>

Tue, Aug 18, 2015 at 3:15 PM

My friend, your motion to dismiss was denied.....and your other motions will likely follow suit. Somehow, I don't think the court shares your view of what constitutes a baseless lawsuit. Again, if you and your clients are willing to enter into reasonable and serious settlement negotiations, please let me know. As for the discovery issues, I will take it that we will be discussing those before Judge Hammer next week. Take care.

Sent from my iPhone

[Quoted text hidden]

rep lawassociates <replaw11@gmail.com>
To: Paul Williams <pfw128@gmail.com>

Wed, Aug 19, 2015 at 4:07 PM

I believe that you owe me discovery.
If you expect it from me, I expect it from you.
[Quoted text hidden]

Paul Williams <pfw128@gmail.com>
To: rep lawassociates <replaw11@gmail.com>

Wed, Aug 19, 2015 at 4:34 PM

The result this morning is what I anticipated. You missed the deadline on interrogatories. I missed no deadline, yet you're making demands while flagrantly ignoring the Court's order? Tell me when you're ready to act in good faith....if that's possible.

Sent from my iPhone
[Quoted text hidden]

rep lawassociates <replaw11@gmail.com>
To: Paul Williams <pfw128@gmail.com>

Wed, Aug 19, 2015 at 4:47 PM

I already told you-the court order showed a different date. You are not going to get away with no discovery. You will get ours after you send it.
[Quoted text hidden]

Paul Williams <pfw128@gmail.com>
To: rep lawassociates <replaw11@gmail.com>

Wed, Aug 19, 2015 at 4:52 PM

You are one of the most unreasonable person, let alone attorney, that I've ever had the displeasure to deal with. Again, you have to comply with the Court's order or face potential sanctions. Once you've done that, we can discuss your concerns. I promise you....I'm not as unreasonable as you.

Sent from my iPhone
[Quoted text hidden]

in:sent

Paul 2

Gmail

Move to Inbox More 2 of 1,762

COMPOSE

Interrogatories Inbox x

rep lawassociates

Add to circles

Show details

Inbox (3,432)
Starred
Important
Sent Mail
Drafts (27)
Circles
Notes
Personal
Travel
More

Paul Williams <pfw128@gmail.com> 5:27 PM (18 hours ago) to rep

Mr. Irwin:

After some consideration (and hopefully with the Court's concurrence), I have decided to respond to your Interrogatories directed at me, which were submitted weeks after the deadline imposed by the Court. I will do this only if you and all of your clients respond with more complete answers to the Interrogatories that I timely submitted to each of them.

I am hopeful that you will be reasonable and accept this compromise so we can move forward and not waste the Court's time any longer. Thanks

rep lawassociates 10:29 AM (1 hour ago) to me

I am willing to let the court decide on our discovery-not just interrogatories but also document requests. As I said before, I don't believe we were late. The answers by Ms. Zhou are complete. She had no reason to keep any documents. We will, however, attempt to provide discovery responses from the Chinese defendants. Because of the language and distance, it may take a couple of months.